



Hon. David Michael MLA
Minister Assisting the Minister for Transport

On-water drug and alcohol testing to be introduced in WA

- New on-water drug and alcohol testing laws introduced to State Parliament
- Laws mirror the State's road laws for drug and alcohol testing
- Safety initiative to deliver consistent message to skippers and drivers

Amendments to the *Western Australian Marine Act 1982* allowing drug and alcohol testing on WA waterways have been introduced to State Parliament ahead of the staged implementation of the long-awaited reforms.

The new laws will bring the State in line with jurisdictions across Australia and deliver a consistent safety message to skippers and drivers.

Under the new laws, to be implemented during the next year, skippers navigating a vessel will be subject to the same drug and alcohol limits and penalties as those in place for drivers on WA roads. Department of Transport officers, supported by the WA Police Force, will have the ability to test skippers if required and remove any threat to on-water safety.

A special working group reviewed local incident statistics, data-based evidence from States where marine drug and alcohol testing is in place and local research highlighting a strong community expectation that Government has a role to play in reducing the use of drugs and alcohol while boating.

The group found that the use of drugs and alcohol could have been a contributing factor in many of the 88 deaths, 66 serious injuries and 167 hospital admissions reported in WA marine incidents between July 2011 and February 2022.

The first stage of the new laws includes offences to target unsafe operation of vessels and significantly increased penalties for skippers under the influence of drugs or alcohol. Skippers who operate a vessel under the influence face a fine of up to \$3,750 for a first offence and more than \$7,500 and up to 18 months imprisonment for a third or subsequent offence. Those navigating while under the influence and causing death will face a maximum penalty of 20 years imprisonment and an unlimited fine.

As part of the staged implementation, new offences with prescribed limits for blood alcohol, similar to the rules on the road, will follow next year.

For more information about the new laws visit

<https://www.transport.wa.gov.au/imarine/boating-behaviours-and-initiatives.asp>

An education campaign will raise awareness of the reforms.

Comments attributed to Minister Assisting the Transport Minister David Michael:

“This is a safety initiative that brings WA into line with other State jurisdictions and reinforces the national approach to reducing drug and alcohol related harm on the water,” Mr Michael said.

“While the majority of skippers are responsible on the water, this approach allows officers to test a skipper for drugs or alcohol and act to improve safety.

““Peak boating groups including Boating WA, Boating Industry Association WA, Yachting WA and Marine Tourism have been consulted and pleasingly, support this initiative which will deliver safer waterways for all users in WA.”

Comments attributed to (Insert portfolio) Minister Paul Papalia:

“The changes send a consistent message that driving under the influence of drugs or alcohol is not tolerated on the State’s roads or waterways,” Mr Papalia said.

“The Department of Transport has worked co-operatively with the WA Police Force to present a workable solution to the delivery of on-water drug and alcohol testing in WA and continued collaboration between these key agencies will result in successful implementation of the new laws.”

Media contact: Stuart McKinnon 6552 8974 or 0498 371 597